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10/633,338	07/31/2003	Steven Sholtis	CA7035172001	4179
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/633,338

Applicant(s)

SHOLTIS ET AL.

Examiner

ANH LY

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-54 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/29/2006; 08/31/2006; 03/28/2007 and 03/28/2008
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is response to Applicants' communications filed on 07/31/2003.
2. Claims 1-54 are pending in this Application.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 rejected under 35 U.S.C. 101 because the "system" in claim 1 is lacking the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101 to implement the series of steps or processes set forth in the body of claim 5. The system might be a software module or software per se, which is non-statutory subject matter.

"Software per se" is non-statutory under 35 USC 101 because it is merely a set of instructions without any defined tangible output or tangible result being produced. The requirement for tangible result under 35 USC 101 is defined in *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F.3d 1368, 47USPQ2d 1596 (Fed. Cir. 1998).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 9-12, 13-14, 15-19, 20-21, 22, 23, 24-27, 28-32, 33-37, 38-40, 41, 42-49 and 52-54 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,711,585 B1 issued to Copperman et al. (hereinafter COPPERMAN).

With respect to claim 1, COPPERMAN teaches a federated system (using taxonomies for organizing and retrieving data from documents or knowledge container: abstract, col. 4, lines 5-10), comprising:

a plurality of data sources, each data source being associated with a taxonomy (a plurality of information resources including electronic content and physical sources and classifying the contents or documents or sources into taxonomies (abstract, fig. 1, fig. 2 and fig. 10; col. 5, lines 12-35 and TABLE 1); and

one or more nodes (fig. 1 and fig. 4, it is a tree node , item 30, comprising knowledge containers, item 20, and one or more taxonomies, item 40 and col. 5, lines 12-18 and col. 10, lines 36-55), at least one of the one or more nodes comprising a taxonomy view (fig. 4, the root concept nodes for representative of a single view of knowledge and more properly part of one taxonomy: col. 24, lines 13-30; also see col.

7, lines 48-67 and col. 8, lines 1-18), one or more of the plurality of data sources being defined on the at least one node (fig. 4, taxonomy consists of a root node, a plurality of nodes; each concept node in a taxonomy expresses a concept or classification to which concept and resources can be assigned: fig. 12, col. 9, lines 1-38, and col. 33, lines 44-67 and col. 34, lines 1-18), the at least one node further comprising one or more mappings between the taxonomy view of the at least one node and the taxonomy of each data source defined on the at least one node (col. 7, lines 48-67 and col. 8, lines 1-18; fig. 18, mapping of nodes to the indexes: col. 35, lines 58-67 and col. 36, lines 1-18; also col. 9, lines 25-32), the at least one node being connectable to one or more clients (the system includes knowledge containers being operatable to one or more users or clients or computers: col. 4, lines 42-67 and col. 5, lines 1-5).

With respect to claim 2, COPPERMAN teaches wherein the at least one node is connectable to at least one other node (fig. 1 and fig. 4: node A to node B is connectable via an edge: col. 10, lines 35-55).

With respect to claim 3, COPPERMAN teaches wherein the at least one other node is a portal (collecting of documents and presenting them in a taxonomy tree for view and this process will be managed by e-service portal; see fig 9s, col. 23, lines 6-37).

With respect to claim 9, COPPERMAN teaches wherein one of the one or more nodes is configured to facilitate communication between a client connected to the node and one or more nodes disconnected from the client (disconnecting the clusters from a root: col. 28, lines 25-35).

With respect to claim 10, COPPERMAN teaches wherein the node facilitates communication by transmitting one or more requests for information from the client to the one or more disconnected nodes and conveying one or more responses to the one or more client requests from the one or more disconnected nodes to the client (figs. 1, 2, 4 and 12, col. 28, lines 25-35 and col. 30, lines 50-67 and col. 31, lines 1-22).

With respect to claim 11, COPPERMAN teaches wherein the node facilitates communication by verifying the client has permission to communicate with the one or more disconnected nodes (col. 8, lines 1-18, col. 28, lines 25-35 and col. 39, lines 45-55).

With respect to claim 12, COPPERMAN teaches wherein the node facilitates communication by blending content from the one or more disconnected nodes before communicating the content to the client (col. 28, lines 25-35; also see col. 5, lines 1-5). wherein one of the one or more nodes is configured to receive one or more requests from a client connected to the node.

With respect to claim 13, COPPERMAN teaches wherein the one or more nodes is configured to receive one or more contents changes and/or for additional content (col. 9, lines 3-2).

With respect to claim 14 COPPERMAN teaches wherein the one or more requests comprise one or more requests for content changes and/or for additional content (col. 10, lines 36-67).

With respect to claim 15 **COPPERMAN** teaches wherein one or more applications are accessible through at least one of the one or more clients (col. 9, lines 10-22).

With respect to claim 16 **COPPERMAN** teaches wherein the one or more applications are stored on the at least one client (col. 4, lines 5-10).

With respect to claim 17 **COPPERMAN** teaches wherein the one or more applications are updated by the at least one client and/or one or more nodes connectable to the at least one client (col. 4, lines 65-67 and col. 5, lines 1-5).

With respect to claim 18 **COPPERMAN** teaches wherein access to the one or more applications is controlled by one or more nodes connectable to the at least one client (col. 4, lines 65-67 and col. 5, lines 1-5).

With respect to claim 19 **COPPERMAN** teaches wherein the one or more applications are utilized for design, filtering, validation, configuration, optimization, matching, mapping, administration, browsing, selection, procurement, and/or sourcing (col. 2, lines 32-58 and col. 8, lines 1-18).

With respect to claim 20 **COPPERMAN** teaches wherein the at least one node is part of an organization in which at least one other node is a part of (col. 9, lines 1-22 and col. 10, lines 36-55).

With respect to claim 21 **COPPERMAN** teaches wherein the at least one node and the at least one other node are in different divisions of the organization (col. 10, lines 36-55; also col. 9, lines 1-20).

With respect to claim 22 COPPERMAN teaches wherein at least one of the one or more data sources defined on the at least one node resides on the at least one node (figs. 1, 2 and 4; also fig. 18).

With respect to claim 23 COPPERMAN teaches wherein at least one of the plurality of data sources does not reside on a node (abstract, col. 4, lines 12-25).

With respect to claim 24 COPPERMAN teaches wherein access to each data source is controlled by one of the one or more nodes (col. 9, lines 10-22 and col. 40, lines 45-65).

With respect to claim 25 COPPERMAN teaches wherein access to a data source is controlled by restricting access to content in the data source (col. 2, lines 44-58 and col. 9, lines 58-65).

With respect to claim 26 COPPERMAN teaches wherein one or more IDs and/or passwords are used to restrict access to the content in the data source (access control level: col. 43, lines 15-25).

With respect to claim 27 COPPERMAN teaches wherein the one or more IDs and/or passwords are stored on the node controlling access to the data source (access control level: col. 43, lines 15-25).

With respect to claim 28 COPPERMAN teaches wherein access to a data source is controlled by regulating presentation of content from the data source (col. 30, lines 32-42).

With respect to claim 29 COPPERMAN teaches wherein presentation of content from the data source is regulated by establishing one or more modes of presenting the

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content from the data source (col. 30, lines 32-42; also col. 6, lines 62-67 and col. 7, lines 1-32).

With respect to claim 30 COPPERMAN teaches wherein presentation of content from the data source is regulated by dictating whether and to what extent content from the data source is presented (col. 30, lines 32-42).

With respect to claim 31 COPPERMAN teaches wherein one or more filters and/or business rules are used to regulate the presentation of content from the data source (col. 30, lines 32-42; also col. 9, lines 22-45).

With respect to claim 32 COPPERMAN teaches wherein the one or more filters and/or business rules are stored on the node controlling access to the data source (col. 9, lines 22-30 and lines 38-45 and col. 12, lines 55-60).

With respect to claim 33 COPPERMAN teaches wherein access to a data source is controlled by altering content from the data source (col. 24, lines 28-38).

With respect to claim 34 COPPERMAN teaches wherein content from the data source is altered by increasing one or more values in the content, decreasing one or more values in the content, and/or replacing one or values in the content with one or more other values (col. 24, lines 28-38).

With respect to claim 35 COPPERMAN teaches wherein alteration of the content from the data source depends upon which client is seeking access to the content (col. 26, lines 1-15).

With respect to claim 36 COPPERMAN teaches wherein one or more business rules are used to alter the content from the data source (col. 16, lines 1-20).

With respect to claim 37 COPPERMAN teaches wherein the one or more business rules are stored on the node controlling access to the data source (col. 43, lines 15-25).

With respect to claim 38 COPPERMAN teaches wherein access to a data source is controlled by managing how content from the data source can be used (col. 5, lines 20-30 and col. 7, lines 50-65).

With respect to claim 39 COPPERMAN teaches wherein one or more business rules are used to manage how the content from the data source is used (col. 43, lines 15-25 and col. 23, lines 20-35).

With respect to claim 40 COPPERMAN teaches wherein the one or more business rules are stored on the node controlling access to the data source (col. 43, lines 15-25).

With respect to claim 41 COPPERMAN teaches wherein access to each data source is controlled by one or more other nodes (col. 43, lines 15-25).

With respect to claim 42 COPPERMAN teaches wherein at least one other node is configured to control access to at least one of the one or more data sources defined on the at least one node (figs. 1, 2, 3, 4 and 18 and col. 43, lines 15-25).

With respect to claim 43 COPPERMAN teaches wherein the at least one node is configured to control access to at least one of the one or more data sources defined on the at least one node (figs. 1, 2, 3, 4 and 18 and col. 43, lines 15-25).

With respect to claim 44 COPPERMAN teaches wherein only a portion of the taxonomy of at least one of the one or more data sources defined on the at least one node is available for mapping (col. 9, lines 22-60 and col. 15, lines 58-67).

With respect to claim 45 COPPERMAN teaches wherein only a portion of the taxonomy of at least one of the one or more data sources defined on the at least one node is mapped to the taxonomy view of the at least one node (col. 6, lines 62-67 and col. 7, lines 1-32).

With respect to claim 46 COPPERMAN teaches wherein the taxonomy of at least one of the plurality of data sources is different from the taxonomy of at least one other data source (figs. 1, 2, 3 and 4; col. 10, lines 36-65).

With respect to claim 47 COPPERMAN teaches wherein each data source comprises content and the content of at least one of the plurality of data sources is different from the content of at least one other data source (col. 10, lines 36-65 and col. 14, lines 47-65).

With respect to claim 48, COPPERMAN teaches wherein the taxonomy view of the at least one node is a snapshot of the taxonomy of at least one of the one or more data sources defined on the at least one node (col. 8, lines 1-50 and col. 9, lines 1-35).

With respect to claim 49, COPPERMAN teaches wherein a taxonomy is an organizational structure and/or classification scheme (abstract, col. 4, lines 20-25 and col. 6, lines 46-55).

With respect to claim 52, COPPERMAN teaches wherein the at least one node further comprises at least one other taxonomy view (col. 6, lines 62-67 and col. 7, lines 1-30).

With respect to claim 53, COPPERMAN teaches wherein the at least one other taxonomy view is based on the taxonomy view (col. 15, lines 40-57).

With respect to claim 54, COPPERMAN teaches wherein the at least one other taxonomy view is a personal view, a role-based view, a project view, or a company view (col. 23, lines 38-67 and col. 24, lines 1-35).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,711,585 B1 issued to Copperman et al. (hereinafter COPPERMAN) in view of Pub. No.: US 2002/0087516 A1 to Cras et al. (hereinafter CRAS).

With respect to claim 4, COPPERMAN teaches a federated system as discussed in claim 1.

COPPERMAN teaches using taxonomies for organizing and retrieval information from document nodes from a plurality of data sources. COPPERMAN does not explicitly teach wherein the at least one node is a private data interchange as claimed.

However, CRAS teaches interchanging data from nodes with the level (para. 0091; also para 0511-0512).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of COPPERMAN with the teachings of CRAS. One having ordinary skill in the art would have found it motivated to utilize the use of data interchange with the level in the tree node containing information from electronic contents or documents as disclosed (CRAS's para 0091), into the system of COPPERMAN for the purpose of having a physical representation of data, therefore, it can help the end-user to define the type of data source from this representation (CRAS's para 0006).

With respect to claims 7-8, COPPERMAN teaches a federated system as discussed in claim 1.

COPPERMAN teaches using taxonomies for organizing and retrieval information from document nodes from a plurality of data sources. COPPERMAN does not explicitly teach wherein one of the one or more nodes is configured to host content and/or user information and wherein the content comprises notifications, updates, security information, and/or links to other sources of content as claimed.

However, CRAS teaches user profile (para. 0299), updating the data source (para 0313-0314), content of sources (para. 0327 and 0329) and notifying to the user (para. 0338).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of COPPERMAN with the

teachings of CRAS. One having ordinary skill in the art would have found it motivated to utilize the use of data interchange with the level in the tree node containing information from electronic contents or documents as disclosed (CRAS's para 0091), into the system of COPPERMAN for the purpose of having a physical representation of data, therefore, it can help the end-user to define the type of data source from this representation (CRAS's para 0006).

8. Claims 5-6 and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,711,585 B1 issued to Copperman et al. (hereinafter COPPERMAN) in view of US Patent No. 6,795,868 B1 issued to Dingman et al. (hereinafter DINGMAN).

With respect to claims 5-6, COPPERMAN teaches a federated system as discussed in claim 1.

COPPERMAN teaches using taxonomies for organizing and retrieval information from document nodes from a plurality of data sources. COPPERMAN does not explicitly teach wherein one of the one or more nodes is configured to send replicated data to one or more other nodes and wherein one of the one or more nodes is configured to synchronize with one or more other nodes as claimed.

However, DINGMAN teaches data synchronization and replication (col. 7, lines 62-67 and col. 8, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of COPPERMAN with the teachings of DINGMAN. One having ordinary skill in the art would have found it motivated to utilize the use of data synchronization and replication as disclosed (DINGMAN's col. 7, lines 62-67 and col. 8, lines 1-5), into the system of COPPERMAN for the purpose of building array of data sources quickly and cost-effectively into meaningful information and having an ideal data transformation tool requires a minimum amount of programming and it works with varied data formats and processes the

capability to adapt to different sources and targets (DINGMAN's col. 1, lines 10-15 and col. 3, lines 10-14).

With respect to claims 50-51, COPPERMAN teaches a federated system as discussed in claim 1.

COPPERMAN teaches using taxonomies for organizing and retrieval information from document nodes from a plurality of data sources. COPPERMAN does not explicitly teach wherein a set of application programming interfaces are available to each node and/or each client and at least one of the one or more data source defined on the at least one node via one or more application programming interfaces in the set of application programming interfaces as claimed.

However, DINGMAN teaches variety of application programming interface (col. 8, lines 50-55 and lines 60-64).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of COPPERMAN with the teachings of DINGMAN. One having ordinary skill in the art would have found it motivated to utilize the use of data synchronization and replication as disclosed (DINGMAN's col. 7, lines 62-67 and col. 8, lines 1-5), into the system of COPPERMAN for the purpose of building array of data sources quickly and cost-effectively into meaningful information and having an ideal data transformation tool requires a minimum amount of programming and it works with varied data formats and processes the capability to adapt to different sources and targets (DINGMAN's col. 1, lines 10-15 and col. 3, lines 10-14).

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH LY whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to **(571) 273-4039** (unofficial fax number directly to examiner's office). The examiner can normally be reached on **TUESDAY – THURSDAY** from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107** or Primary Examiner, **Jean Fleurantin**, can be reached on **(571) 272-4035**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**.

ANH LY /AL/

/JEAN B. FLEURANTIN/
Primary Examiner, Art Unit 2162